

CALIFORNIA COASTAL COMMISSION

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PUBLIC NOTICE

Prepared December 16, 2004 (for January 13, 2005 Hearing)

To: Commissioners and Interested Persons

From: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal Planner

Subject: City of Capitola LCP Minor Amendment Number 2-04 (Architectural and Site Review Committee; Use Permits for Uses in Excess of 12,000 square feet)

Proposed minor amendment to the City of Capitola's certified Local Coastal Program to be heard at the Coastal Commission's January 13, 2005 meeting at the Hilton Long Beach, 701 W. Ocean Blvd., Long Beach, CA 90831.

The City of Capitola is requesting that its certified Local Coastal Program (LCP) Implementation Plan (IP) be amended. This amendment request was filed on December 1, 2004 pursuant to Coastal Act Section 30510(b) and California Code of Regulations (CCR) Sections 13553 and 13555. The proposed amendments would: 1) redefine the required members of the City's Architectural and Site Review Committee, allow alternates to serve on the Committee in the absence of the architect and landscape architect members, and specify when the architect and landscape architect's terms expire (see Exhibit 1, pp. 1-2 for the text of the amendment); 2) require the Planning Commission to consider five factors when considering an application for a conditional use for any new development that occupies in excess of 12,000 square feet. The factors to be considered include: the scale and character of the surrounding area; traffic generation; parking impacts; compatibility to surrounding activity-uses, and; the size of the proposed activity-use compared to the average size of similar activity-uses in the surrounding area. The amendment provides exceptions for the Community Commercial District, which allows for large retail outlets, and for a use already approved in an applicable master conditional use permit. The amendment also modifies the "master/tenant use permit" provisions of the existing ordinance to specify that no administrative approval be allowed for uses of 12,000 or more square feet, i.e., a regular conditional use permit with review by the Planning Commission is required.

Based on its review of submitted materials, the Executive Director has determined that the LCP amendment qualifies as a minor amendment. Section 13554(a) of the California Code of Regulations defines minor amendments to certified Implementation Plans as:



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Changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and which are found by the Executive Director of the Commission or the Commission to be consistent with the Land Use Plan as certified by the Commission.

The proposed amendments add specificity and/or clarify portions of the certified implementation plan. None of the amendments change the kind, location, density, or intensity of use of the implementation ordinances.

The purpose of this notice is to advise interested parties of the Executive Director's determination (pursuant to CCR Section 13555) that the proposed amendment is minor as defined in CCR Section 13554 because it clarifies LCP terminology and is consistent with and adequate to carry out the intent of the City's certified Land Use Plan (CCR Section 13554(a)).

Pursuant to CCR Section 13555, the Executive Director will report this determination to the Coastal Commission at its January 13, 2005 meeting at the Hilton Hotel located at 701 W. Ocean Blvd. in Long Beach. The Executive Director will also report any objections to the determination that are received within ten working days of posting of this notice. The proposed minor amendment will be deemed approved and will become effective immediately unless one-third of the appointed members of the Commission request that it be processed as a major LCP amendment (CCR Section 13555(b)).

If you have any questions or need additional information regarding the proposed LCP amendment or the Commission procedures, please contact Susan Craig in the Coastal Commission's Central Coast District Office in Santa Cruz at the address or phone number listed above. If you wish to register an objection to the proposed minor LCP amendment, please do so by January 10, 2004.

Attachments:

Exhibit 1: Architectural and Site Review Committee Amendments.

Exhibit 2: Use Permit Amendments for Uses in Excess of 12,000 square feet

Exhibit 3: Resolution of City Council Adopting Amendments

